

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

March 5, 2009

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Michael Kelly (W2), George Rabideau (W3), Jim Calnon (W4), Amy Valentine (W5), Chris Jackson (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING

RESOLVED: that the Minutes of the regular meeting of the Common Council held on February 26, 2009 are approved and placed on file among the public records of the City Clerk's Office

By Councilor Rabideau; Seconded by Councilor Valentine

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending March 4, 2009 in the amount of \$ 251,528.81 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS

- Report of Fire and Ambulance Responses for the week of February 26-March 4, 2009
- Report from the Building Inspector's Office from February 25- March 2, 2009

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Jackson

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

4. AUDITS OF CLAIMS

RESOLVED: That the bills approved by the Auditing Committee of the Common Council in the amount of \$ 941,662.09 are authorized and allowed and the Mayor and City Clerk (where required)

are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Valentine; Seconded by Councilor Jackson

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

5. PERSONS ADDRESSING COUNCIL

Dan Rugar of 9 Main Road thanked the Common Council for maintaining the open forum. The person who provoked Rugar's curiosity and desire to be involved was Mayoral Candidate Mr. Donald Kasprzak. Setting was Airborne Speedway. Rugar said one of his duties was to escort VIP's to the box. Upon meeting the candidate Rugar introduced himself as a registered republican voter in ward one. Kasprzak's response and only comment was "Boy you are paying a lot of taxes." Rugar said he was a nice guy and like him and went on to vote for him. Rugar invites Kasprzak back for a visit because there is racing every Saturday night beginning of May through September offering good family entertainment at reasonable rates. Some may wonder if Rugar supports the Mayor's ambition of lower taxes so why did he support the hard workers of PMLD. Rugar supported the hard workers because the weakening of a utility's future did not address the cause of the problem, because the weakening of a workforce would not have avoided a rate increase, because real tax relief will not come from PMLD. Rugar was not supporting a union, friends or relatives. Until these meetings Rugar knew no body associated with PMLD. Rugar was not supporting more expenses for businesses. Rugar was supporting the sustained durability of electric power for all utilities. Rugar notice that last week when the water and sewer rates were up for public discussion there was zero. Rugar believes some credit must go to the operators at the plant and Public Works, they are doing something right. Maybe it was a slow news night and they had to come to a municipal lighting night to fill things. Rugar said he wasn't sure. Rugar always supported all the hands on workers in all utilities. There are many other sectors and concepts to eliminate to offer real tax relief. Does anybody no when the school budgeteers gather?

6. OTHER ITEMS

A. Request from Mackenzie Bola to hold a walk for CHARGE in memory of her beloved son, Jacob D. Bola on June 13, 2009 at 10 a.m. on the Terry Gordon Bike Path.

RESOLVED: In accordance with the request therefore the Common Council approves Mackenzie Bola to hold a walk for CHARGE in memory of her beloved son, Jacob D. Bola on June 13, 2009 at 10 a.m. on the Terry Gordon Bike Path.

By Councilor Kelly; Seconded by Councilor Valentine

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. Request from the Adirondack District, Twin Rivers Council, Boy Scouts to hold a Camporee on the Oval from September 11-13, 2009.

RESOLVED: In accordance with the request therefore the Common Council approves the Adirondack District, Twin Rivers Council, Boy Scouts to hold a Camporee on the Oval from September 11-13, 2009.

By Councilor Kelly; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. Request from Donald Duley, Chairman of the Plattsburgh Empire Zone Administrative Board for the Common Council to pass attached resolution.

RESOLVED: In accordance with the request therefore the Common Council approves the passed resolution from Donald Duley, Chairman of the Plattsburgh Empire Zone Administrative Board

By Councilor Calnon; Second by Councilor Valentine

Discussion:

Councilor Calnon wanted to point out that the Empire Zone programs have been under a lot of scrutiny for not producing job results that the programs are intend to do. So it is in some jeopardy in the state budget. But the last report that Calnon saw showed that our zone is still delivering more jobs than promised.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. Request from Chief Desmond Racicot for the approval to contract with Theodore Kowalczyk to provide Grant Writing and Youth Program services to the Plattsburgh Police Department.

RESOLVED: In accordance with the request therefore the Common Council approves Theodore Kowalczyk to provide Grant Writing and Youth Program services to the Plattsburgh Police Department.

By Councilor Calnon; Second by Councilor Rabideau

Discussion:

Councilor Jackson asked what kind of youth programs Kowalczyk provides.

Chief Racicot said he writes grants for the Youth Bureau.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. Request from Chief Desmond Racicot for the approval to contract with the Elmore SPCA for shelter services for stray dogs and cats for 2009.

RESOLVED: In accordance with the request therefore the Common Council approves the contract with the Elmore SPCA for shelter services for stray dogs and cats for 2009.

By Councilor Valentine; Second by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. Request from Community Development for the Mayor to be authorized to sign the Intent to Apply for Restore NY Funding.

RESOLVED: In accordance with the request therefore the Common Council approves the Mayor to sign the Intent to Apply for Restore NY Funding.

By Councilor Carpenter; Second by Councilor Valentine

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

7. RESOLUTIONS FOR INITIAL CONSIDERATION

- 1.** The Mayor hands down the appointment of Planning Board Member to Dale Dowdle expiring January 13, 2016.
- 2.** The Mayor hands down the appointment of Planning Board Member to Gregg Tetreault expiring on January 13, 2015.
- 3.** The Mayor hands down the appointment of Planning Board Member Alternate to Scott Tetreault expiring on January 13, 2011.
- 4.** Request from the Finance Office to create a capital project for 2009 Brinkerhoff Street Resurfacing Project, Project H5110.27 for approximately \$471,000.
- 5.** Request from the Finance Office to create a capital project for 2009 Lateral Replacement Elm Street – Cornelia Street Project, Project H8320.66 for approximately \$230,000.
- 6.** Request from the City Engineer to advertise for bids for Contract #2009-01 “Brinkerhoff Street Improvements, North Catherine Street to Oak Street.”

7. Request from the City Engineer to advertise for bids for Contract #2009-02 "Elm Street improvements, Margaret Street to Lynde Street."
8. Request from the City Engineer to advertise for bids for Contract #2009-03 "2009 Painted Pavement Markings."
9. Request from the City Engineer to advertise for bids for Contract #2009-04 "Ready Mix Concrete."
10. Request from the Finance Office to create a capital project for 2009 Public Works Equipment Replacement Project, Project H5110.26 for approximately \$386,000.
11. Request from the City Clerk that all previous Resolutions regarding Street Solicitations, Street Drives, Coin Drives, etc. are hereby set aside, and Resolved that the following conditions, rules, and process apply from this date forward.
12. Request from the Fire Chief Paul Williams to advertise for bids for a used ambulance.

8. NEW BUSINESS

Councilor Kelly said that Corporation Counsel Clute suggests changing the Community Garden zoning law. Kelly said it seemed reasonable.

Corporation Counsel Clute said he drafted the law quickly to have something. It should be passed around to the department heads to see if it makes sense. If we are going to have a community garden we need to figure out how to allow this to happen in a reasonable fashion.

Councilor Kelly said Clute also volunteered to make them a non-profit.

Corporation Counsel Clute said that being a non-profit is the only way so that they are able to do what they want to do. Its really the vehicle they have to use.

Councilor Carpenter asked if the community garden is it open to just city residents or can anyone in the county put something in there?

Councilor Kelly said he doesn't think they got that far.

Councilor Carpenter said Calnon's change of language for the street drives kind of makes sense but it doesn't. There are only certain dates they can take so if someone wants a date and then a rain date we are not going to stop a different organization to have a rain date so they have to go on hold. So maybe the terminology could be to have only one street date at a time.

Councilor Calnon said we can discuss this but he thinks they are talking about the same thing.

Councilor Kelly said there is a request for an Earth Day Celebration on Saturday April 25th at the

farmers market. They want to have local foods, crafts, activities, and music. Kelly would like to put this on for initial next week.

Councilor Calnon dropped a copy of the latest unemployment data in front of everyone to completely recognize the kind of environment we are working in. The rate is in Clinton County which is the small jurisdiction and the rate was 10.1 % in January of 2009 which his up from 6.8% from this past December. Calnon said a 3.1% is a huge jump. It is about 50 people more in every ward that weren't unemployment last year. This keeps us mindful in keeping taxes and all of our costs under control as it continues to get harder for folks to pay their bills.

Councilor Carpenter asked if it included only people who are getting unemployment benefits or does it include those whose benefits have expired and still do not have a job

Councilor Calnon said it is a general methodology that estimates all factors. They get validated every five years through the census bureau. It doesn't include discouraged workers, those who have stopped looking.

Councilor Valentine said Clean Up Day is scheduled for May 2nd. Valentine will have more details later.

Councilor Jackson said Valentine should talk to Meghan Samolis who is the Chair of the Green Committee.

9. CLOSING PUBLIC COMMENTS

John Welch said he has a couple places to stay. One bedroom at 21 Leonard Avenue and another on Court Street, he will decide which one to live at in November. Welch said he attended the big MLD meeting with about 75 people and all the media. Since then all he sees is that the City keeps hiring and hiring. Welch gave Councilor Kelly a rubber stamp because he said he is such a rubber stamp. Welch addressed Councilor Carpenter that when he interviewed him for this job he advised people at the meeting that he was a union member like Welch but he wasn't really close with the unions. Welch said it seems like he has become a rubber stamp too for the unions. Welch then addresses Councilor Rabideau and said he shouldn't even be a republican. He should be a democrat or liberal or progressive what ever they call themselves. Welch doesn't understand why at the meeting four wanted to keep all 6 of them then after vote to get rid of 2 jobs when every meeting since then you keep hiring and rubber stamping any of the jobs that the Chief of Police wants. Welch said that Bob Grady from the Press Republican should come here. The Editorial one day comments on the State system and then the next day said we should negotiate with MLD. By the time the votes come around to the Mayor he doesn't even get to vote. Welch wants to know why we even have a mayor then. It seems to be rubber stamped by four people around the board. It doesn't matter what the tax payers think. Welch has had people come up to him and complain and he wonders why they are not here to see what's going on in the City of Plattsburgh. You (the Council) were supposed to be advocates and take care of the tax payers. We could pull up your campaign literature and see what you had promised. Welch said he could understand with having family and friends that is hard to make tough decisions. Welch had to make tough decisions with all his jobs, people got hurt or killed. But you guys can't seem to make the tough decisions. The Mayor is working very hard to tell people

what is going on. It doesn't seem like the Council cares about their neighbors who don't have all the perks that you and I have.

Dan Rugar of 9 Main Avenue thought these meetings would provide knowledge but one disadvantage of these meetings is lack of direct and informative responses. Rugar continues on with a question, What does a humble citizen like himself do to receive a two way conversation with city leaders? Rugar thanked Councilor Carpenter for answering his questions. He said his appreciation for Councilor Kelly has been obvious. Rugar said Councilor Rabideau spoke with him after a meeting and Rugar thanked him. Rugar said it was the first time he saw him smile. His straight face and concentration during the meetings are hard to interpret. Rugar stated that that is the left side, the port side of our leadership. Rugar said the right side, the starship side he commends Mayor Pro Tem Calnon because of his explanation of a Councilor's yes or no response which respectfully correlated to the vote's outcome that was beneficial and smooth to the process. The misunderstanding of a double negative was eliminated. Rugar's representative (Councilor Carpenter) is always the first person in the voter's box. Rugar turned and addressed Esquire Clute and said he always promotes good understanding especially when he engineered the meeting's agenda which had multiple paths and outcomes. Rugar thanked him. Rugar continued to say that voting at the end of the sequence the last two votes are usually indifferent with the outcome. Rugar said that the glasses off the decision to delay a decision almost made the Mayor's eyes pop out of his face. He said this delay was an honorable compromise. Rugar said he has not yet shared conversation with Councilor Valentine and Jackson. Rugar then introduces himself to them.

Motion to Adjourn by Councilor Calnon; Seconded by Councilor Jackson

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

MEETING ADJOURNED: 6:02